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PTO/SB/21 (09-04) (AW 10/2004)

Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/020,427
	Filing Date	December 7, 2001
	First Named Inventor	M. Oshima et al.
	Art Unit	2137
	Examiner Name	Paul E. Callahan
Total Number of Pages in This Submission	Attorney Docket No.	MTS-520US3

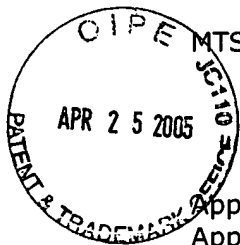
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copies of (5) Information Disclosure Statements and PTO Form 1449s previously filed
<b>Remarks:</b>		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm Name	Ratner Prestia		
Signature			
Printed Name	Jack J. Jankovitz		
Date	April 22, 2005	Registration No.	42,690

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or Printed Name	Jack J. Jankovitz	Date	April 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



MTS-520US3

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/020,427  
Applicant: Mitsuaki OSHIMA, et al.  
Filed: December 7, 2001  
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK  
ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK  
AND METHOD OF PRODUCING OPTICAL DISK  
TC/A.U.: 2137  
Examiner: Paul E. Callahan  
Confirmation: 9007  
Docket No. MTS-520US3

**PETITION UNDER 37 C.F.R. §1.181 FOR  
CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants filed Information Disclosure Statements (IDS) on February 19, 2003, April 3, 2003, October 20, 2004, November 4, 2004 and January 3, 2005. A copy of each IDS, as filed and a copy of the return postcard evidencing receipt of each IDS by the PTO is enclosed. Each IDS, although properly filed, has not been considered.

The Examiner is respectfully requested to consider the references enclosed with each originally filed IDS and to initial and return the Form 1449 to the undersigned.

It is respectfully requested that issuance of the above-identified application be suspended until the IDS has been considered.

Respectfully submitted,

  
\_\_\_\_\_  
Jack J. Jankovitz, Reg. No. 42,690  
Attorney for Applicants

JJJ/dlm

Enclosures: (5) IDS and PTO-1449 as previously filed

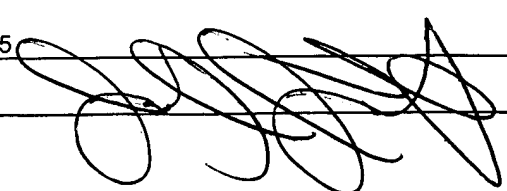
Dated: April 22, 2005

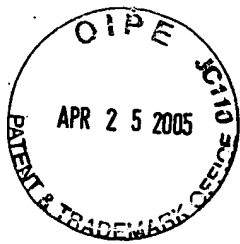
P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

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April 22, 2005

  
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Assistant Commissioner for Patents:

Date: February 19 2003 ✓

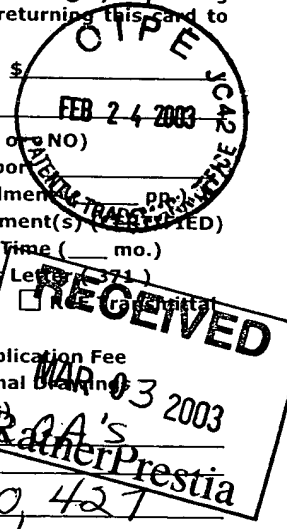
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FILE NO. MAT or MTS-520 US 3 FEE DUE? NO or \$

NAME: M. Oshina et al.

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> IDS and PTO Form 1449 ( <u>3</u> pp.) (Supplemental: <u>YES</u> or NO) | <input type="checkbox"/> Copy of Search Report   |
| <input checked="" type="checkbox"/> Copy of <u>8</u> reference(s)  | <input type="checkbox"/> Preliminary Amendment (PR)  |
| <input type="checkbox"/> Verification of a Translation   | <input type="checkbox"/> Priority Document(s) (PRIORITY)                                   |
| <input type="checkbox"/> Claim To Right of Priority  | <input type="checkbox"/> Petition for Ext. of Time ( <u>  </u> mo.)                        |
| <input type="checkbox"/> Amendment ( <u>  </u> pp.)  | <input type="checkbox"/> Copy of Formalities Letter (F-71)                                 |
| <input type="checkbox"/> Response to Missing Parts   | <input type="checkbox"/> Form 1390 <input type="checkbox"/> Certificate of Express Mailing |
| <input type="checkbox"/> Declaration/POA ( <u>  </u> pp.)  | <input type="checkbox"/> Fee Transmittal   |
| <input type="checkbox"/> Assignment & Form 1595 ( <u>3</u> pp.)  | <input type="checkbox"/> Issue Fee and Publication Fee                                     |
| <input type="checkbox"/> Sheets of Drawings (Formal)   | <input type="checkbox"/> Submission of Formal Drawings                                     |
| <input type="checkbox"/> Certificate of Correction and 1050  | <input type="checkbox"/> Check(s)  |
| <input checked="" type="checkbox"/> Copies of 2 Japanese Patent Office Rejection's                         |  |

USSN: 10/020,427



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: M. Oshima et al. : Art Unit: 2134  
Serial No.: 10/020,427 : Examiner: P. E. Callahan  
Filed: December 7, 2001 :  
For: MARK FORMING APPARATUS, :  
METHOD OF FORMING LASER MARK :  
ON OPTICAL DISK, REPRODUCING :  
APPARATUS, OPTICAL DISK AND :  
METHOD OF PRODUCING OPTICAL :  
DISK :



**SUPPLEMENTAL**  
**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R :

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese references are not in the English language:

- 1) 58-211343
- 2) 61-248250
- 3) 03-078178
- 4) 03-116441
- 5) 02-056750

COPY

COPY

References 1) to 5) include English language abstracts and were cited by a foreign patent office in a counterpart foreign application. A copy of the Japanese Office Actions with partial English language translations, indicating the degree of relevance determined by the foreign patent office is submitted herewith. MPEP 609 IIIA(3), second paragraph.

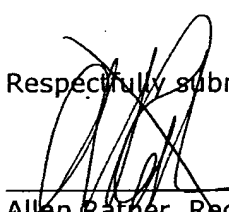
References 4) and 5) have counterpart applications attached.

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

**STATEMENT**

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

  
\_\_\_\_\_  
Allan Rather, Reg. No. 19,717  
Attorney for Applicants

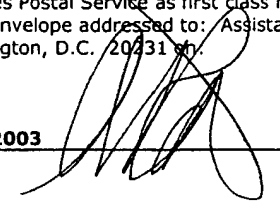
Enclosures: PTO Form 1449  
Copy of (#8) References  
Copy of Japanese Office Actions JP 2002-235948 and JP 2002-235949

Dated: February 19, 2003

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(610) 407-0700

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\_\_\_\_\_  
February 19, 2003

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(Rev. 2-32) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

MTS-520US3

SERIAL NO

10/020,427

### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT

M. Oshima et al.

FILING DATE

December 7, 2001

GROUP

2134

## U.S. PATENT DOCUMENTS

Exmr Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	5,126,741	06/30/92	Yoshida (with counterpart JP 03-116441)			
	4,961,077	10/02/90	Wilson et al. (with counterpart JP 02-056750)			

## FOREIGN PATENT DOCUMENTS

Exmr Initial	Document Number	Date	Country	Class	Sub Class	Translation YES   NO
	58-211343	12/08/83	Japan (with English abstract)			x
	61-248250	11/05/86	Japan (with English abstract)			x
	03-078178	04/03/91	Japan (with English abstract)			x
	03-116441	05/17/91	Japan (with English abstract and counterpart USP 5,126,741)			x
	02-056750	02/26/90	Japan (with English abstract and counterpart EP 0 329 122 and 4,961,077)			x
	EP 0329122	08/23/89	Europe/Germany (with counterpart JP 02-056750)			x

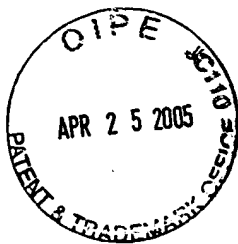
## OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

1.	Japanese Official Action dated November 19, 2002, for JP 2002-235948 with partial English translation.
2.	Japanese Official Action dated November 19, 2002, for JP 2002-235949 with partial English translation.

Examiner	Date Considered
----------	-----------------

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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Date: APRIL 3, 2003

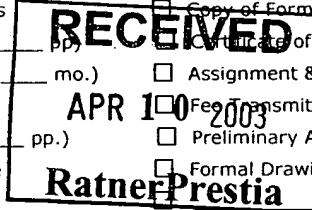
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FILE NO.: MAT MTS 520053 FEE DUE? YES or NO NO AMT. ENC'D. \$ \_\_\_\_\_

NAME: M. Oshima ET AL.

- |  |   |
|--|---|
| <input type="checkbox"/> Specification (_____ pp.)                           | <input type="checkbox"/> Drawing(s) (_____ pp.)                   |
| <input checked="" type="checkbox"/> IDS & PTO 1449 ( <u>3</u> pp.)           | <input checked="" type="checkbox"/> Copy of <u>1</u> Reference(s) |
| <input checked="" type="checkbox"/> Copy of Search Report <u>KOREAN O.A.</u> | <input type="checkbox"/> Form 1390                                |
| <input type="checkbox"/> Claim to Right of Priority                          | <input type="checkbox"/> Priority Document(s)                     |
| <input type="checkbox"/> Response to Missing Parts                           | <input type="checkbox"/> Copy of Formalities Letter               |
| <input type="checkbox"/> Declaration & POA (_____ pp.)                       | <input type="checkbox"/> Certificate of Express Mailing           |
| <input type="checkbox"/> Petition for Ext. of Time (_____ mo.)               | <input type="checkbox"/> Assignment & Form 1595 (_____ pp.)       |
| <input type="checkbox"/> Utility Transmittal                                 | <input type="checkbox"/> Fee Transmittal                          |
| <input type="checkbox"/> Amendment/Response (_____ pp.)                      | <input type="checkbox"/> Preliminary Amendment (_____ pp.)        |
| <input type="checkbox"/> Issue Fee/Publication Fee                           | <input type="checkbox"/> Formal Drawing(s) (_____ pp.)            |
| <input type="checkbox"/> Transmittal   |   |
| <input type="checkbox"/> _____   | Serial No.: <u>10/020,427</u>                                     |



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mitsuaki Oshima et al. : Art Unit: 2134  
Serial No.: 10/020,427 : Examiner: Paul E. Callahan  
Filed: December 7, 2001 :  
For: MARK FORMING APPARATUS, METHOD OF :  
FORMING LASER MARK ON OPTICAL :  
DISK, REPRODUCING APPARATUS, :  
OPTICAL DISK AND METHOD OF :  
PRODUCING OPTICAL DISK :

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the Form PTO-1449 (RP) submitted herewith. A copy of each of the listed references is also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following Japanese reference is not in the English language:

1) JP 5-234321

Reference 1) includes an English language abstract.

COPY



COPY

Reference 1) was cited in an official action by the Korean Patent Office in a patent application corresponding to the above-identified patent application. A copy of this official action, is transmitted herewith.

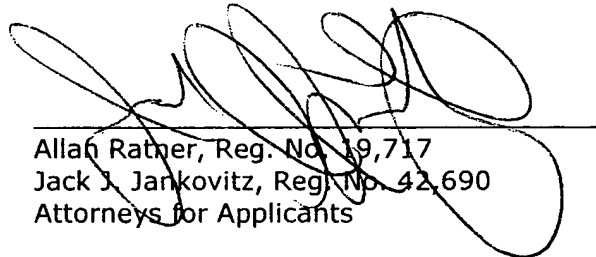
In the Korean Official Action, the second reference was submitted to the USPTO in a previous IDS filed December 7, 2001. The third reference, a Korean publication corresponds to JP 02-56750, filed February 19, 2003 in an IDS.

CERTIFICATION

The undersigned, an attorney registered to practice before the U.S. Patent and Trademark Office, hereby certifies that each reference disclosed in the subject Supplemental Information Disclosure Statement was cited in a communication (i.e., a search report) from a foreign patent office in a counterpart foreign application not more than three months before the filing of the Supplemental Information Disclosure Statement.

Respectfully submitted,

RatnerPrestia



Allan Ratner, Reg. No. 19,717  
Jack J. Jankovitz, Reg. No. 42,690  
Attorneys for Applicants

JJJ:kc

Enclosures: Form PTO-1449  
(1) Reference  
Korean Office Action

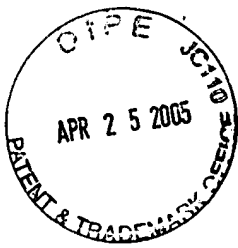
Dated: April 3, 2003

Suite 301  
One Westlakes, Berwyn  
P.O. Box 980  
Valley Forge, PA 19482-0980  
(610) 407-0700

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Commissioner for Patents:

Date: October 20, 2004

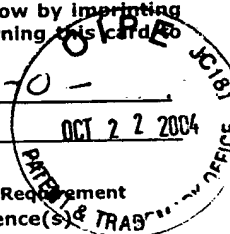
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FILE NO. MAT/MTS-520 US 3 FEE DUE? NO or \$ 0

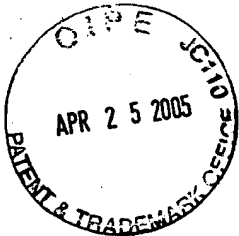
NAME: M. Oshimazaki et al.

- |   |   |
|---|---|
| <input type="checkbox"/> Amendment (____ pp.)                             | <input checked="" type="checkbox"/> Transmittal Form              |
| <input checked="" type="checkbox"/> Fee Transmittal                       | <input type="checkbox"/> Response to Restriction Requirement      |
| <input checked="" type="checkbox"/> IDS and PTO Form 1449 ( <u>5</u> pp.) | <input checked="" type="checkbox"/> Copy of <u>2</u> reference(s) |
| <input checked="" type="checkbox"/> Copy of Search Report <u>Europe</u>   | <input type="checkbox"/> Status Request                           |
| <input type="checkbox"/> Verification of a Translation                    | <input type="checkbox"/> Petition for Ext. of Time (____ mo.)     |
| <input type="checkbox"/> Claim To Right of Priority                       | <input type="checkbox"/> Priority Document(s) (CERTIFIED)         |
| <input type="checkbox"/> Form 1390  | <input type="checkbox"/> Copy of Formalities Letter ( 371 )       |
| <input type="checkbox"/> Certificate of Express Mailing                   | <input type="checkbox"/> RCE Transmittal                          |
| <input type="checkbox"/> Declaration/POA (____ pp.)                       | <input type="checkbox"/> Assignment Form 1595 (____ pp.)          |
| <input type="checkbox"/> Issue Fee and Publication Fee                    | <input type="checkbox"/> Sheets of Drawings                       |
| <input type="checkbox"/> Submission of Formal Drawings                    | <input type="checkbox"/> Certificate of Correction and 1050       |
| <input type="checkbox"/> _____ Check(s)                                   | <input type="checkbox"/> _____                                    |

USSN: 10/020,427



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OCT 27 2004  
Ramin Resa

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/020,427  
Applicant: M. Oshima et al.  
Filed: December 7, 2001  
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER  
MARK ON OPTICAL DISK, REPRODUCING APPARATUS,  
OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK  
TC/A.U.: 2134  
Confirmation: 9007  
Examiner: P. E. Callahan

**SUPPLEMENTAL**  
**INFORMATION DISCLOSURE STATEMENT**

***Mail Stop Amendment***

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of the references listed on the 1449 form is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

COPY

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

- 1) JP 01-243237

Reference 1) includes an English language abstract and was cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. A copy of this English language search report, indicating the degree of relevance determined by the foreign patent office is submitted herewith. MPEP 609 IIIA(3), second paragraph.

A copy of Reference US 5,050,150 was cited in an Information Disclosure Statement filed December 7, 2001, and a copy of Reference EP 0549488 was cited in an Information Disclosure Statement filed May 23, 2003.

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

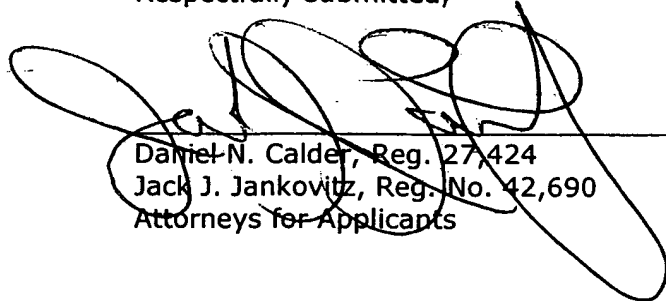
The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any

COPY

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communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Daniel N. Calder, Reg. 27,424  
Jack J. Jankovitz, Reg. No. 42,690  
Attorneys for Applicants

JJJ/fp

Enclosures: PTO Form 1449 (2 sheets)  
(#2) References  
European Search Report  
Transmittal Form

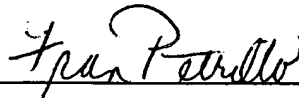
Dated: October 20, 2004

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(610) 407-0700

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October 20, 2004



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Approved for use through 04/30/2004. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for Form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

**SHEET 1 of 2**

**Complete If Known**

Application Number	<b>10/020,427</b>
Filing Date	<b>December 7, 2001</b>
First Named Inventor	<b>Mitsuaki OSHIMA, et al.</b>
Art Unit	<b>2134</b>
Examiner Name	<b>Paul E. Callahan</b>
Attorney Docket No.	<b>MTS-520US3</b>

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

<sup>a</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

\*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

<sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for Form 1449B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

**SHEET 2 of 2**

**Complete if Known**

Application Number	<b>10/020,427</b>
Filing Date	<b>December 7, 2001</b>
First Named Inventor	<b>Mitsuaki OSHIMA, et al.</b>
Art Unit	<b>2134</b>
Examiner Name	<b>Paul E. Callahan</b>
Attorney Docket No.	<b>MTS-520US3</b>

## NON-PATENT LITERATURE DOCUMENTS

[illegible]

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Date: November 4, 2004

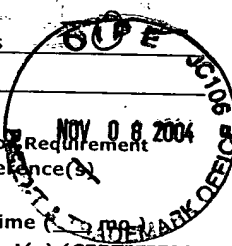
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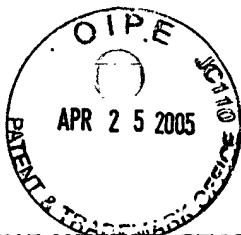
FILE NO. MTS-520 US 3 FEE CHARGED: NO or \$

NAME: M. Oshima et al.

- |   |   |
|---|---|
| <input type="checkbox"/> Amendment (____ pp.)                     | <input checked="" type="checkbox"/> Transmittal Form              |
| <input type="checkbox"/> Fee Transmittal                          | <input type="checkbox"/> Response to Restriction Requirement      |
| <input checked="" type="checkbox"/> IDS and PTO Form 1449 (3 pp.) | <input checked="" type="checkbox"/> Copy of <u>1</u> reference(s) |
| <input type="checkbox"/> Copy of Search Report                    | <input type="checkbox"/> Status Request                           |
| <input type="checkbox"/> Verification of a Translation            | <input type="checkbox"/> Petition for Ext. of Time                |
| <input type="checkbox"/> Claim To Right of Priority               | <input type="checkbox"/> ____ Priority Document(s) (CERTIFIED)    |
| <input type="checkbox"/> Form 1390                                | <input type="checkbox"/> Copy of Formalities Letter ( 371 )       |
| <input type="checkbox"/> Certificate of Express Mailing           | <input type="checkbox"/> RCE Transmittal                          |
| <input type="checkbox"/> Declaration/POA (____ pp.)               | <input type="checkbox"/> Assignment & Form 1595 (____ pp.)        |
| <input type="checkbox"/> Issue Fee and Publication Fee            | <input type="checkbox"/> ____ Sheets of Drawings                  |
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| <input checked="" type="checkbox"/> <u>2 JPOA's</u>               | <input type="checkbox"/> _____                                    |

USSN: 10/020,427 ✓



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/020,427  
Applicant: Mitsuaki OSHIMA, et al.  
Filed: December 7, 2001  
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK  
ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND  
METHOD OF PRODUCING OPTICAL DISK  
TC/A.U.: 2134  
Examiner: Paul E. Callahan  
Confirmation: 9007  
Docket No.: MTS-520US3

**SUPPLEMENTAL**  
**INFORMATION DISCLOSURE STATEMENT**

***Mail Stop Amendment***

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of the references listed on the 1449 form is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

- 1) "Outline of Barcode Symbol", (see "JAN code standard" at [http://www.barcode.ne.jp/about\\_barcode/code/index.html](http://www.barcode.ne.jp/about_barcode/code/index.html))

Reference 1) includes an English language translation and was cited by a foreign patent examining authority in connection with the examination of counterparts of the above identified application. Copies of these Japanese Official Actions, with English

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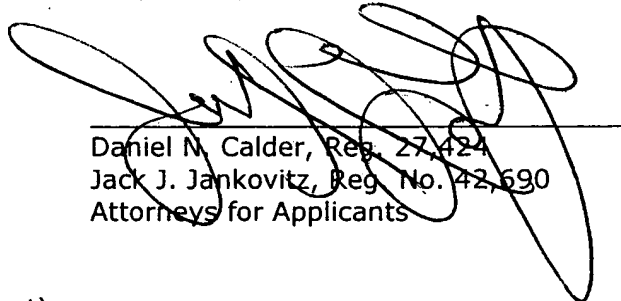
language translations, indicating the degree of relevance determined by the foreign patent office, are submitted herewith. MPEP 609 IIIA(3), second paragraph.

More than three months have elapsed since the filing of the above-referenced application and a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Daniel M. Calder, Reg. No. 27,424  
Jack J. Jankovitz, Reg. No. 42,690  
Attorneys for Applicants

JJJ/fp

Enclosures: PTO Form 1449 (1 sheet)  
Japanese Official Action for JP 2002-235948  
Japanese Official Action for JP 2002-235949  
(#1) Reference  
Transmittal Form

Dated: November 4, 2004

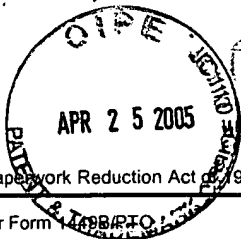
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(610) 407-0700

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 1

## Complete if Known

Application Number	10/020,427
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki OSHIMA, et al.
Art Unit	2134
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US3

## NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Japanese Official Action for JP 2002-235948, date mailed September 28, 2004, with English translation.	<input checked="" type="checkbox"/>
		Japanese Official Action for JP 2002-235949, date mailed September 28, 2004, with English translation.	<input checked="" type="checkbox"/>
		"Outline of Barcode Symbol", (see "JAN code standard" at <a href="http://www.barcode.ne.jp/about_barcode/code/index.html">http://www.barcode.ne.jp/about_barcode/code/index.html</a> , with English translation.	<input checked="" type="checkbox"/>
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			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
Examiner Signature		Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

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FILE NO. MTS-52053

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NAME: MI TSUAKI OSHIMA, ET AL

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  - ☒ Copy of    Reference(s)
  - ☐ Copy of Search Report
  - ☐ Verification of a Translation
  - ☐ Petition for Ext. of Time (   mo.)
  - ☐ Claim To Right of Priority
  - ☐ Priority Document(s) (CERTIFIED)
  - ☐ Response to Missing Parts
  - ☐ Copy of Formalities Letter
  - ☐ Form 1390
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  - ☐ Assignment & Form 1595 (3 pp.)
  - ☐ Issue Fee and Publication Fee
  - ☐    Sheets of Drawings (Formal)
  - ☐ Submission of Formal Drawings
  - ☐ Certificate of Correction and 105
  - ☐ Status Request
  - ☐ Response to Restriction Requirement
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  - ☐ Selection of Practitioners
  - ☒ 1 CHANGE OFFICE ACTION (W/ ENGLISH TRANSLATION)

USSN: 10/020,427



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/020,427  
Applicant: Mitsuaki OSHIMA, et al.  
Filed: December 7, 2001  
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK  
ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK  
AND METHOD OF PRODUCING OPTICAL DISK  
TC/A.U.: 2134  
Examiner: Paul E. Callahan  
Confirmation: 9007  
Docket No. MTS-520US3

**SUPPLEMENTAL**  
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***Mail Stop Amendment***

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The following reference is not in the English language:

- 1) CN 1059222A

Reference 1) was cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. A copy of this Chinese Official Action, with English language translation, indicating the

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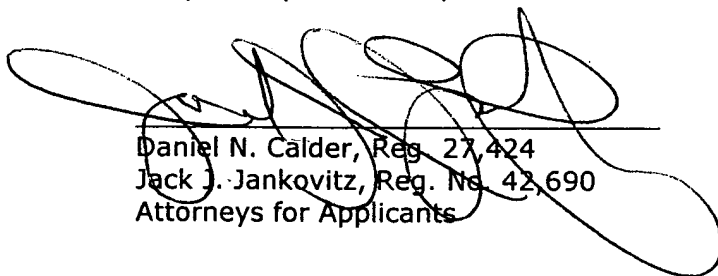
degree of relevance determined by the foreign patent office, are submitted herewith. MPEP 609 IIIA(3), second paragraph.

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Respectfully submitted,



Daniel N. Calder, Reg. No. 27,424  
Jack J. Jankovitz, Reg. No. 42,690  
Attorneys for Applicants

JJJ/ds

Enclosures: PTO Form 1449 (2 sheets)  
Chinese Official Action for CN 1059222A  
(#2) References  
Transmittal Form

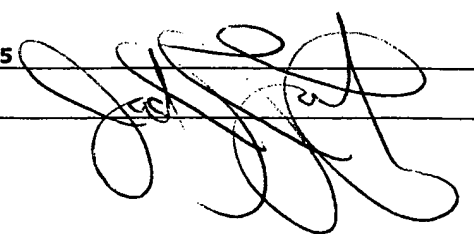
Dated: January 3, 2005

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(610) 407-0700

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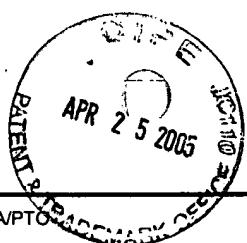
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January 3, 2005



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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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SHEET 1 of 2

## Complete if Known

Application Number	10/020,427
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki Oshima, et al.
Art Unit	2134
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US3

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-5,309,421 (w/ counterpart CN 1059222A)	05-03-1994	FUJISAWA, Hirotooshi	
		US-			
		US-			
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## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		CN 1059222A (w/counterpart U.S. 5,309,421)	03-04-1992			<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>

Examiner Signature	Date Considered
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<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

<sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

<sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

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